

5 September 1975

MEMORANDUM FOR THE RECORD

SUBJECT: NSSM 229

1. I called Jeanne Davis, Staff Secretary of the National Security Council, to advise that I am the CIA designee to the Scowcroft group created by NSSM 229. She advised that the National Security Council Staff is putting together some papers with suggestions for departmental thought and hoped to have an agenda and some action underway in the next few days. I pointed out in this connection that the NSSM, dated 19 August, had proceeded within CIA only to the point of designating me as the CIA representative and I had been away until this week. It seemed to me highly unrealistic that the executive branch could thoroughly study this matter by 30 September. She entirely agreed. She said considerable slippage was anticipated. NSC regretted that they had utilized an unrealistic deadline, since this would damage credibility, but they had done so in this case. One reason she noted why action could not be accomplished that quickly is that General Scowcroft has been away.

2. I asked what had brought on the NSSM. She indicated there were a number of factors. There had been a growing feeling within the Staff that the time had come to look into the various inconsistencies posed by the Executive order and the statutes involved. There was some question as to the relationship of ICRC to NSC which ought to be resolved. The executive branch now had some experience under the Freedom of Information Act. It might be that additional exemptions ought to be included such as an exemption to protect the confidentiality of Presidential correspondence. All of these had added up to a general feeling that the time had come to thoroughly study the whole area. She hoped we agreed. I indicated I thought there were certainly a number of objections and difficulties in the existing situation and I hoped now was at least as good a time as any other for the executive branch to address itself to these matters.

3. Mrs. Davis indicated she thought the Muskie letter of 21 August, forwarding some 24 questions concerning implementation of Executive Order 11652, presents a timely opportunity to make known the burden and costs problems.



Associate General Counsel

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